

Draft

ENVIRONMENTAL ASSESSMENT

*DNRC/Miller Land Exchange
Ravalli and Lewis & Clark Counties*

Prepared for:

MONTANA DEPARTMENT OF NATURAL RESOURCES & CONSERVATION
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DRAFT ENVIRONMENTAL ASSESSMENT
State of Montana
Department Of Natural Resources and Conservation

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| Project Name: | DNRC/Miller Land Exchange |
| Proposed Implementation Date: | Autumn of 2005 |
| Proponent: | John R. Miller, Shining Mountain Ranch, Sula, Montana |
| Location: | Lincoln Lands and Sula Lands (see Figures 1 and 2, Appendix A) |
| County: | Lewis & Clark County and Ravalli County |

I. TYPE AND PURPOSE OF ACTION

This Environmental Assessment evaluates a proposed land exchange for various parcels located in Ravalli and Lewis & Clark Counties, Montana. The "Proposed Action" would exchange surface ownership of the "Sula and Lincoln Lands", currently under the following State and private ownership:

- **Sula Lands:** Approximately 800 acres of State Trust Land in Ravalli County near Sula (portions of Sections 15, 16, 21, and 22 of Township 2 North, Range 19 West). These parcels are part of the Sula State Forest, which is administered by the State of Montana, Department of Natural Resources & Conservation (DNRC).
- **Lincoln Lands:** Approximately 1,458 acres of private land in Lewis & Clark County near Lincoln (portions of Sections 1, 2, 3, 9, and 12 of Township 14 North, Range 9 West). These parcels are owned by John R. Miller, who recently acquired them from The Nature Conservancy (TNC) specifically for this exchange.

Maps of the exchange proposal are provided as **Figures 1 and 2 in Appendix A**.

Several years ago, John R. Miller approached the DNRC with a proposal to acquire State Trust Lands adjacent to his Shining Mountain Ranch (SMR) in the French Basin near Sula, Montana. At the time, Miller did not own property that DNRC was interested in acquiring. When TNC purchased Plum Creek Timber Company lands north of Lincoln, Montana, the opportunity arose for Miller to purchase lands that DNRC would like to acquire. Miller has acquired the Lincoln Lands from TNC to exchange with DNRC.

The purpose of the land exchange is to:

1. Secure improved access for land management activities on State-owned property at Lincoln;
2. Acquire lands with higher revenue-generating potential for the State School Trusts;
3. Increase consolidation of State Trust Land within the Lincoln State Forest; and
4. Reduce the potential for land use conflicts with SMR.

The State Board of Land Commissioners gave preliminary approval to further investigate this exchange on April 18, 2005. Final approval by the Board depends upon administrative

investigations, public comments, and findings under the Montana Environmental Policy Act (MEPA). This EA was prepared as part of MEPA compliance.

II. PROJECT DEVELOPMENT

1. PUBLIC INVOLVEMENT, AGENCIES, GROUPS OR INDIVIDUALS CONTACTED:

Provide a brief chronology of the scoping and ongoing involvement for this project.

The Scoping Period for the Proposed Action began in September 2004 when a Public Notice and maps of the Proposed Action were:

- Sent to DNRC lessees via certified mail;
- Mailed to interested parties (adjacent landowners, local legislators, county commissioners, agencies, tribal councils, etc.);
- Published in weekly and daily news papers in affected and adjoining counties; and
- Posted on the DNRC web-site <http://www.dnrc.state.mt.us/millereexchange.pdf>.

Written and oral public and agency comments were received before, during and after the Public Notice mailing. As part of the public involvement process, there were five meetings and three site visits with various members of the public. A description of the meetings and site visits are provided in **Appendix C**.

Both written and oral comments were received during and after the Scoping Period (see **Appendix C** for a summary of comments). In general, comments were greatly in favor of DNRC acquiring more State Trust Lands in the Lincoln area, whereas comments regarding the Sula Lands raised concerns about the loss of public lands in the Sula State Forest.

There will be an additional opportunity for public comment at public hearings in both Ravalli and Lewis & Clark Counties prior to finalization of the MEPA process. Notification of hearing dates will be published in the local newspapers. Those interested in attending the hearings or commenting on this EA should contact Tony Liane, DNRC - Southwestern Land Office 1401 27th Avenue, Missoula, Montana 59804. 406-542-4261. e-mail: tliane@mt.gov.

2. OTHER GOVERNMENTAL AGENCIES WITH JURISDICTION, LIST OF PERMITS NEEDED:

No other governmental agencies have jurisdiction over the Proposed Action. Other agency personnel consulted regarding the Proposed Action are listed in **Appendix B**.

3. ALTERNATIVES CONSIDERED:

This EA evaluates two alternatives in detail: Alternative A, the No Action Alternative, and Alternative B, the Action Alternative. Key features of the alternatives in relationship to Agency and Public Scoping issues are discussed below and compared in **Table C-1**.

Alternative A. No Action Alternative

Under the No Action Alternative, the State of Montana would not exchange State Trust Lands located in Sections 15, 16, 21, and 22 of T2N, R19W in Ravalli County for private lands located in Sections 1, 2, 3, 9, and 12 of T14N, R9W in Lewis and Clark County.

Lincoln Lands

Under the No Action Alternative, the 1,458 acres of Lincoln Lands would be sold back to TNC. TNC would then sell the land to private landowners but place a conservation easement on the parcels. A limited number of homes could be built. Public access would likely be eliminated as a result of the sale to private parties. Grazing and timber resources would be managed according to the conservation easement (Sommer 2005).

No timber or grazing revenues would be generated from the Lincoln Lands for the State School Trust (see **Section 24**).

Sula Lands

Management: Under the No Action Alternative, the Sula Lands would remain as State Trust Land within the Sula State Forest. Management activities typical for the DNRC State Trust Lands would continue.

Grazing: DNRC has managed two livestock grazing licenses on these parcels. Miller has license for about 680 acres, whereas another private license holder has about 120 acres. Because of the 2000 fires and subsequent tree planting, these grazing licenses have been deferred, but would be reinstated in the future by DNRC under the No Action Alternative (Storer 2005).

Timber: The 2000 fires and subsequent salvage in Sula Parcels 1-3 during 2002 to 2004 will limit timber harvest on these parcels in the near future. Further timber harvest on Parcels 1-3 would not be anticipated to occur for at least 40 years. DNRC may conduct salvage timber harvest on dead and dying trees within Parcels 4 and 5. In all parcels, some commercial thinning may be possible in 40-60 years (DNRC 2005a).

The DNRC would continue to monitor survival and growth of planted tree seedlings and natural regeneration. Additional tree planting on up to 100 acres where natural regeneration is lacking would most-likely be done by the DNRC within Parcels 1-3 (Storer 2005).

Public Access: Existing public access to the Sula Lands would continue under the No Action Alternative. The Sula Lands are currently open to non-motorized public access only. Existing roads on the Sula Lands are for walk-in use by the public. The nearest vehicle access routes to the Sula Lands are FR 311 on the north and east, FR 5745 on the west, and French Basin Road on the south. Each of these roads has a locked gate outside the perimeter of the Sula Lands.

Under the No Action Alternative, road Easements 1 – 3 would not be acquired. Any future road use or improvements on Miller Property by DNRC would require landowner permission.

Alternative B. Proposed Action Alternative

Under the Proposed Action, the State of Montana would exchange State Trust Lands located in Sections 15, 16, 21, and 22 of T2N, R19W in Ravalli County for private lands located in Sections 1, 2, 3, 9, and 12 of T14N, R9W in Lewis and Clark County.

Lincoln Lands

Management: Under the Action Alternative, a transfer of ownership for the Lincoln Lands would help consolidate existing DNRC land holdings. Isolated parcels of State Land would be linked, simplifying the management of these lands. The acreage of State Land managed for timber harvest, recreation, grazing, and wildlife would increase in the Lincoln area.

DNRC management would take place on the acquired parcels, similar to lands in the Lincoln State Forest. These activities could include timber sales, changes in grazing licenses, road construction, stream restoration, implementation of a Habitat Conservation Plan, and weed control.

Grazing and Timber: Grazing licenses are expected to be re-instated over all of the historically-grazed Lincoln Lands, an increase from 1,042 acres to 1,458 acres (Liane 2005, Kloetzel 2005). Grazing licenses are expected to generate \$1,458/year for State Trust. In 20 to 30 years, the State Trust would receive revenues from 1,393 acres of timber harvest and commercial thinning (DNRC 2005a).

Public Access: Public access on the Lincoln Lands would continue. Lincoln Parcel 1 would remain open to public non-motorized access and motorized access via Sucker Creek Road. Lincoln Parcels 3 and 4 would remain open to non-motorized access and closed to all public motorized access with the exception of snowmobiles.

Habitat Conservation Plan: Currently, the DNRC is negotiating with the US Fish and Wildlife Service on a Habitat Conservation Plan for endangered species within the Lincoln area. If this plan is implemented, then the Lincoln Lands could be included within the Habitat Conservation Plan.

Potential for Development: No commercial or residential development is planned by the DNRC for the Lincoln Lands at this time. If development were to be proposed, it would be completed in compliance with the DNRC Real Estate Management Plan (DNRC 2005b) and all appropriate county and State regulations.

Blackfoot Community Project: In vicinity of the Lincoln Lands, the Blackfoot Challenge in partnership with TNC, has been working on the Blackfoot Community Project, which seeks to acquire approximately 88,000 acres of Plum Creek Timberlands in the Blackfoot Watershed for purposes of preserving traditional land uses, wildlife habitat, and public access. The Blackfoot Challenge is a group of private citizens in the Blackfoot Valley, whereas TNC is a land conservation organization. Under the Action Alternative, the transfer of the Lincoln Lands to State ownership with a continuation of public access, would support the goals of the Blackfoot Community Project.

Sula Lands

State and Public Access:

Under the Action Alternative, access to the Sula parcels would change as follows:

- Public access, including recreation use, would no longer be allowed on the Sula parcels, except where specifically stated within easements between the State and Miller.
- Retained easements on Parcel 3 on the west side of the project area would be for all lawful purposes and for public walk-in access within the road easement only. No hunting would be allowed along this easement or within Parcel 3.
- Retained easements on Parcel 4 and Parcel 5 would be for timber, grazing and minerals management purposes only. No public access would be allowed as part of these easements.
- Acquired Road Easements 1, 2, and 3 would allow the DNRC to access surrounding State parcels for timber management purposes only. No public access would be allowed as part of these easements.
- Public walk-in access into the SW corner of Section 14 (T2N, R19W) via Parcel 4 would be eliminated. However, access would remain available from the south and southeast.
- Road Easements 2 and 3 occur on an existing road.
- The southern portion of Road Easement 1 occurs on an existing road, whereas the northern portion would need to be upgraded by the DNRC to meet vehicle use standards, if deemed necessary.

Management: Under the Action Alternative, the Proposed Action would:

- Enlarge the Miller property, without geographically isolating the remaining State Land in the Sula State Forest.
- Reduce the cost of managing the remaining lands State Land. (The retained and acquired easements through the Miller property would reduce the cost of transportation to State Lands within the French Basin.)
- Eliminate costs to the State for reforestation burned areas within Parcels 2 and 3.

The Proposed Action does not require specific management of the Sula State Lands. However, according to Mark Sommer (2005), future management of the acquired parcels by Miller may include:

- No subdivisions or sale of the acquired parcels separately from the ranch.
- No hunting by the public would be allowed.
- Continuation of existing grazing and timber harvest practices.
- Fences and gates would be moved to reflect the new land ownership boundary. The current boundary is 6 miles in length, whereas the new boundary would be 5 miles in length. Existing 7- and 8-strand barb-wire fences would be removed and replaced with more wildlife-friendly 4- or 5-strand barb-wire fences.
- Potential construction of a few ranch-owned residences for ranch guests or management personnel.
- A voluntary donation of a conservation easement on the Sula Lands.

Potential for Development: No zoning or development restrictions would be placed on the Sula Lands as a result of the Proposed Action. However, any proposed development by Miller would need to be in compliance with an existing conservation easement on the SMR and appropriate county and State regulations.

Table 1: Comparison of Alternatives A and B

| Resource Parameters | Alternative A – No Action. | Alternative B – Proposed Action. |
|--|---|--|
| Amount of State Trust Land | <u>Lincoln Lands:</u> 0 ac. Trust Lands <u>Sula Lands:</u> 800 ac. Trust Lands | <u>Lincoln Lands:</u> 1,458 ac. Trust Lands <u>Sula Lands:</u> 0 ac. Trust Lands |
| Lands open to public access | <u>Lincoln Lands:</u> 0 ac. public access <u>Sula Lands:</u> 800 ac. public access (walk-in only) | <u>Lincoln Lands:</u> 1,458 ac. full public access <u>Sula Lands:</u> 0 ac. public access (walk-through easement on Parcel 3 only). |
| Habitat Conservation Plans (HCP) for Threatened and Endangered Species | <u>Lincoln Lands:</u> HCP voluntary for private landowner. <u>Sula Lands:</u> HCP consideration would be optional. | <u>Lincoln Lands:</u> State may enter HCP <u>Sula Lands:</u> No HCP would occur. |
| Amount of fencing that limits wildlife movement | <u>Lincoln Lands:</u> Fencing at the discretion of private landowners. <u>Sula Lands:</u> No changes in fencing planned by State. | <u>Lincoln Lands:</u> No changes in fencing <u>Sula Lands:</u> Existing 7- and 8-strand fences removed and replaced with 4- or 5-strand fences. Removal of 1 mile of fence. |
| Hunting opportunities | <u>Lincoln Lands:</u> Hunting at discretion of private landowners. <u>Sula Lands:</u> No changes in hunting opportunities planned by DNRC. | <u>Lincoln Lands:</u> Hunting allowed by DNRC in accordance with historic practices. <u>Sula Lands:</u> Public hunting not allowed |
| Potential for commercial development or subdivision | <u>Lincoln Lands:</u> Limited development allowed by conservation easement. <u>Sula Lands:</u> None planned by DNRC. | <u>Lincoln Lands:</u> No developments or land sales currently planned by DNRC. <u>Sula Lands:</u> Access to Sula Lands limited by existing conservation easement on SMR. |
| Potential for limited residential development (under conservation easements) | <u>Lincoln Lands:</u> Limited development allowed by conservation easement. <u>Sula Lands:</u> None planned by DNRC. | <u>Lincoln Lands:</u> No developments or land sales currently planned by DNRC. <u>Sula Lands:</u> potential for ranch-related guest cabins; number limited by existing conservation easement on SMR. |
| Grazing revenue to State Trust | <u>Lincoln Lands:</u> \$0 to Trust <u>Sula Lands:</u> \$805/year to Trust. | <u>Lincoln Lands:</u> \$1,458/year to Trust. <u>Sula Lands:</u> \$0 to Trust. |
| Timber lands generating revenue for State Trust | <u>Lincoln Lands:</u> 0 ac. Trust Lands. <u>Sula Lands:</u> 500 ac. Trust Lands. | <u>Lincoln Lands:</u> 1,393 ac. Trust Lands. <u>Sula Lands:</u> 0 ac. Trust Lands. |
| Time before timber revenues available to State Trust | <u>Lincoln Lands:</u> Not available <u>Sula Lands:</u> 40-60 years. | <u>Lincoln Lands:</u> 20-30 years. <u>Sula Lands:</u> Not available |
| State costs for management of Trust Lands | <u>Lincoln Lands:</u> \$0 <u>Sula Lands:</u> Reforestation costs. | <u>Lincoln Lands:</u> Costs typical of Trust Lands <u>Sula Lands:</u> Easements reduce costs of managing remaining Sula State Forest. |
| Mineral rights | <u>Lincoln Lands:</u> Mineral rights retained by private entities. <u>Sula Lands:</u> State retains mineral rights. | <u>Lincoln Lands:</u> Mineral rights retained by private entities. <u>Sula Lands:</u> State retains mineral rights |
| Water rights | <u>Lincoln Lands:</u> Private owner retains 4 water rights. <u>Sula Lands:</u> State retains 2 rights. | <u>Lincoln Lands:</u> State obtains 4 water rights. <u>Sula Lands:</u> Private owner obtains 2 rights. |
| Tax revenues to County Government | <u>Lincoln Lands:</u> \$1,812 per year to Lewis and Clark County. <u>Sula Lands:</u> \$0 to Ravalli County | <u>Lincoln Lands:</u> \$1,812 per year to Lewis & Clark County <u>Sula Lands:</u> \$600 (estimate) to Ravalli County. |
| Appraised value (2004-2005 private appraisals) | <u>Lincoln Lands:</u> \$1,980,000 for private land. <u>Sula Lands w/Existing Legal Access:</u> \$1,065,000 for Trust Lands <u>Sula Lands w/Hypothetical Access:</u> \$3,277,000 for Trust Lands | <u>Lincoln Lands:</u> \$1,980,000 for Trust Lands. <u>Sula Lands w/Existing Legal Access:</u> \$1,065,000 for private land. <u>Sula Lands w/Hypothetical Legal Access:</u> \$3,277,000 with access through SMR plus \$185,000 for excess timber. |

ALTERNATIVES CONSIDERED BUT DISMISSED:

The following alternatives were considered but dismissed from further detailed examination by DNRC because of the reasons listed below.

Alternative C

The Proposed Action once included the transfer of the following parcels to DNRC in exchange for the Sula Lands listed in **Section I** above:

- Two private parcels in the French Basin (SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 8 and NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 21, T2N, R19W); and
- Two private parcels north of Lincoln (E $\frac{1}{2}$ Section 3 and part of the W $\frac{1}{2}$ NW $\frac{1}{4}$ Section 11, T14N, R9W).

The Proposed Action alternative was modified to exclude the above parcels because they did not provide as many equitable resource values as the Lincoln Lands.

Alternative D

During the course of the land exchange negotiations, it was suggested that the Wetzsteon property in parts of Sections 13 and 14, T2N, R19W be exchanged for part of the Sula Lands. This acquisition would create public walk-in access through what is now private property. However, the alternative was dismissed because Miller did not acquire the property.

III. IMPACTS ON THE PHYSICAL ENVIRONMENT

- *RESOURCES potentially impacted are listed on the form, followed by common issues that would be considered.*
- *Explain POTENTIAL IMPACTS AND MITIGATIONS following each resource heading.*
- *Enter "NONE" if no impacts are identified or the resource is not present.*

4. GEOLOGY AND SOIL QUALITY, STABILITY AND MOISTURE:

Consider the presence of fragile, compactable or unstable soils. Identify unusual geologic features. Specify any special reclamation considerations. Identify any cumulative impacts to soils.

Existing Environment

The Sula and Lincoln Lands do not contain unusually fragile, compactable or unstable soils (SCS 1951, DNRC 2000, NRCS 2005).

No unusual geologic features are present at the Sula Lands or the Lincoln Lands. Sula Lands are underlain by Quaternary-age alluvium and Cretaceous-age granodiorite and tonalite (Ruppel et al. 1993). Lincoln Lands are underlain by Quaternary-age glacial and alluvial sediments and Precambrian-age Middle-Belt Carbonate (Lewis 1998). No past mining activity has been found on the Sula or Lincoln Lands (Leon and Pearson 1989, Elliott et al. 1992, Tetra Tech 2003).

Mineral rights for the Sula Lands are owned by the State of Montana. For the Lincoln Lands, Canyon Resources owns the hard rock mineral rights and Arco owns the oil and gas mineral rights (Byrd 2005).

Impacts from No Action Alternative A

No direct, indirect, or cumulative effects to soil or geologic resources are anticipated because of the No Action Alternative. No special reclamation needs within the Lincoln or Sula Lands have been identified as part of this alternative.

Impacts from Action Alternative B

Physical disturbance of soils is not planned as part of the Proposed Action. No direct, indirect, or cumulative effects to soil or geologic resources are anticipated because of the Action Alternative. No special reclamation needs within the Lincoln or Sula Lands have been identified as part of this alternative.

Mineral Rights would not be exchanged as part of the Proposed Action. Mineral rights of the Sula Lands would remain with the State. Mineral rights of the Lincoln Lands would remain with private parties (currently Canyon Resources and Arco). If economic mineral deposits are found on the Lincoln Lands, the ability of the mineral right owners to condemn the surface property for fair market value is in question (Mason 2005). However, the potential for mineral discoveries on the Lincoln Lands is very low (Tetra Tech 2003), and if the Lincoln Lands are condemned, the State Trust would obtain fair market value (Liane 2005).

Cumulative Effects

No cumulative impacts to soils or geology are anticipated because of the No Action or Action Alternatives. No other projects in the cumulative effects area

5. WATER QUALITY, QUANTITY AND DISTRIBUTION:

Identify important surface or groundwater resources. Consider the potential for violation of ambient water quality standards, drinking water maximum contaminant levels, or degradation of water quality. Identify cumulative effects to water resources.

Existing Environment

Lincoln Lands

Streams: There are four perennial streams within the Lincoln Lands: Beaver Creek, Stonewall Creek, Park Creek and Liverpool Creek. Several ephemeral, unnamed streams are also located within the project area. All four perennial streams are classified as fish-bearing (MFISH 2005). The perennial streams within the project area are not classified as navigable; therefore, the private landowner claims ownership of the bed and the banks of each stream.

Classification: The Montana Water Quality Standard classification for the four perennial streams is B-1, indicating that its waters are to be "maintained suitable for drinking, culinary and food processing purposes after conventional treatment; bathing, swimming and recreation; growth and propagation of salmonid fishes and associated aquatic life, waterfowl and furbearers; and agricultural and industrial water supply" (ARM 17.30.607). None of the perennial streams have impaired water quality, according to the Montana Department of Environmental Quality (MDEQ) 303d List.

Wetlands: Several wetland areas exist on the Lincoln Lands. Wetlands are important water storage areas and provide habitat for riparian and aquatic plants and waterfowl (see **Section 7**).

Water rights: There are seven surface water right Points of Diversion (PODs) within the boundaries of the Lincoln Lands (DNRC WRQS, 2005): four are owned by TNC and three are owned by a private individual.

Site Observations: Management of the Lincoln Lands under Plum Creek Timberlands, TNC and Miller has included grazing, timber harvest, and public recreation. Stream impairment as a result of grazing and timber harvest was not observed by PBS&J personnel on a site visit conducted on June 23, 2005. Soil compaction and erosion within un-roaded areas was observed, reportedly as the result of heavy ORV use on the parcels (Kloetzel 2005). The soil compaction and erosion from ORV use did not appear to be discharging to nearby streams and did not appear to be causing degradation of water quality on the Lincoln Lands.

Sula Lands

Streams: There are three perennial streams within the Sula Lands: Clough Springs Creek, Cameron Creek and Lyman Creek. Cameron Creek and Lyman Creek are classified as fish-bearing. Clough Springs Creek is undesignated (MFISH 2005). The streams within the project area are not classified as navigable; therefore, the private landowner claims ownership of the bed and the banks of each stream.

Classification: The Montana Water Quality Standard classification for the streams is B-1, indicating that its waters are to be "maintained suitable for drinking, culinary and food processing purposes after conventional treatment; bathing, swimming and recreation; growth and propagation of salmonid fishes and associated aquatic life, waterfowl and furbearers; and agricultural and industrial water supply" (ARM 17.30.607). None of the streams in the Sula Lands were identified on the Montana Department of Environmental Quality (MDEQ) 303d List of impaired streams.

Wetlands: Within the Sula Lands, wetland habitat is limited to wetland fringe along Cameron and Lyman Creeks and their tributaries.

Water rights: There are six surface water rights (PODs) and one groundwater right (developed spring) on the Sula Lands (DNRC WRQS 2005). J.R. Miller Ranches, LLC owns five of the surface water rights and the State of Montana Board of Lands owns one surface water right and the groundwater right.

Site Observations: Management of the Sula Lands under DNRC has included grazing, timber harvest, and public recreation. Stream impairment as a result of grazing, timber harvest and public recreation was not observed by PBS&J personnel on a site visit conducted on June 24, 2005.

Impacts from No Action Alternative A

Lincoln Lands

The Lincoln Lands would not enter DNRC management and would remain private. If the Lincoln Lands are not acquired by DNRC, then Miller has an agreement to sell the Lincoln Lands back to TNC. TNC goals for the Lincoln Lands would be to sell the parcels to existing grazing lease-holders or adjacent landowners, maintaining traditional uses. Conservation

easements would be required by TNC, allowing limited residential development. No impacts to water quality would be expected to occur as a result of the No Action Alternative. Water rights associated with the Lincoln Lands would be transferred to any new landowners.

Sula Lands

The Sula Lands would not enter private ownership and DNRC management would continue. No impacts to water quality would be expected to occur as a result of the No Action Alternative. Water rights would remain under the current ownership.

Impacts from Action Alternative B

Lincoln Lands

The Lincoln Lands would enter DNRC management. Existing timber, grazing, and recreation management uses would continue. Grazing licenses would be re-instituted on all of the Lincoln Lands, increasing the licensed grazing lands from approximately 1,042 acres to 1,458 acres. Timber harvest and commercial thinning may occur in 20 to 30 years following Best Management Practices (BMPs). Future development or sale of the Lincoln Lands, if it were proposed, would be in compliance with the DNRC Real Estate Management Plan (DNRC 2005b) and applicable county and State regulations.

No impacts to water quality would be expected to occur as a result of the Action Alternative. Water rights associated with the Lincoln Lands would transfer to the State of Montana. Other private water rights would remain in private ownership.

Sula Lands

The Sula Lands would enter private management. Existing grazing and timber harvest practices on the Sula Lands are likely to continue. Development of this property by Miller via access through the SMR would be subject to an existing conservation easement on the SMR and applicable county and state regulations. Vehicle access to the Sula Lands is limited through surrounding State, Federal, and private lands, so future commercial or residential development would be contingent upon acquisition of rights-of-way for that purpose.

No impacts to water quality would be expected to occur as a result of the Action Alternative. State of Montana water rights would transfer to Miller. J.R. Miller Ranches, LLC water rights would remain under the same ownership.

Cumulative Effects

No other projects within the cumulative effects area are anticipated to affect water quality, quantity, or distribution. There are no cumulative impacts to water quality, quantity or distribution expected as a result of Alternatives A and B.

6. AIR QUALITY:

What pollutants or particulate would be produced? Identify air quality regulations or zones (e.g. Class I air shed) the project would influence. Identify cumulative effects to air quality.

No pollutants or particulate would be produced by Alternatives A or B. Neither the Sula Lands nor the Lincoln Lands are located in a Class I airshed or Non-attainment area (MDEQ 2004). No cumulative effects to air quality are anticipated because of Alternatives A or B.

7. VEGETATION COVER, QUANTITY AND QUALITY:

What changes would the action cause to vegetative communities? Consider rare plants or cover types that would be affected. Identify cumulative effects to vegetation.

The following discussion summarizes a vegetation report prepared for this EA (Land & Water/PBS&J, 2005a)

Existing Environment

Lincoln Lands

Timber: Of the approximate 1458 acres within the Lincoln Lands, 1393 acres are forested, with the remaining acreage rangeland (DNRC 2005a). The Lincoln Lands were heavily logged in the 1980s by Champion International and since 1993 by PCTC using clear-cut and commercial thinning prescriptions (Tetra Tech 2003, TNC 2004a). Mature ponderosa pine (*Pinus ponderosa*) and Douglas-fir (*Pseudotsuga menziesii*) were the predominant species removed. While the Lincoln Lands have been heavily logged, it is estimated that a residual volume of 1.5 to 2.0 million board feet (MBF) remain (DNRC 2005a). It has also been estimated that within the next 20-30 years, the forest could be harvested using a commercial thinning prescription (DNRC 2005a).

Grazing: Historically, all of the Lincoln Lands have been leased for grazing. Existing leases cover about 1042 acres.

Weeds: Weed populations throughout the Lincoln Lands are very apparent, especially along roadsides. In Parcels 1 and 3, weed infestations are often dense and of mixed species along roadsides and areas disturbed by off-road vehicles and timber harvesting. Weed surveys conducted by TNC documented three noxious species on the Lincoln Lands: hound's-tongue (*Cynoglossom officinale*), spotted knapweed (*Centaurea maculosa*), and St. John's-wort (*Hypericum perforatum*) (TNC 2004b). Two other noxious species were found in limited areas nearby, but outside of these parcels: yellow toadflax (*Linaria vulgaris*) and leafy spurge (*Euphorbia esula*) (TNC 2004b). In addition, TNC found bull thistle (*Cirsium vulgare*), musk thistle (*Carduus nutans*), and mullein (*Verbascum thapsus*), which are invasive exotic species (TNC 2004b, Kloetzel 2005).

Wetlands: Many wetlands and riparian corridors and one small lake occur within the lowlands of Parcel 1. In contrast, Parcels 3 and 4 contain only a few small perennial drainages with associated wetlands and a few intermittent/ephemeral drainages.

Threatened, Endangered, and Sensitive Plant Species: No known occurrences of Montana's three threatened or proposed threatened plants occur in vicinity of the Lincoln Lands (MTNHP 2005a, Kloetzel 2005). Habitat for Spalding's campion is not present on the Lincoln Lands. Although water howellia and Ute-ladies' tresses are associated with wetlands, occurrence of these plants on the Lincoln Lands is probably unlikely due to geography and/or habitat. No rare or sensitive plant species are known within the Lincoln Lands.

Sula Lands

Timber: Of the 800 acres in the Sula Lands, 500 acres are forested and the remaining acres are rangeland. Prior to the fires of 2000, the forested portion of the Sula Lands was

dominated by widely spaced, mature ponderosa pine, with an understory of mostly mixed grasses and forbs. During the summer of 2000, these Sula Lands burned as part of a larger fire complex. The five Sula parcels are very similar in vegetation type and structure, differing mainly in burn intensity. Burn intensity on Parcels 1-3 was greater than Parcels 4 and 5, with fewer green trees surviving. Burn intensity on Parcels 4 and 5 was patchy with many green trees surviving. Selected salvage logging by DNRC occurred between 2002 and 2004, particularly on Parcels 1-3. Barring additional mortality due to bugs, it is anticipated that there will be little timber revenues over the next twenty years. Planted or natural regeneration after the fires of 2000 will not reach merchantable size for at least 40 years. There may be opportunities for commercial thinning in 40-50 years (DNRC 2005a).

Grazing: Grazing licenses on the Sula Lands have been deferred as a result of the 2000 fires and subsequent tree planting (Storer 2005). Grazing licenses have been held by SMR (680 acres) and another license-holder (120 acres).

Weeds: In recent years and because of salvage logging, the DNRC has assumed primary responsibility for roadside spraying to control weeds (Storer 2005). Prior to the 2000 fires, it was the grazing license-holder's responsibility to control weeds (Storer 2005).

The two dominant noxious weed species on the Sula Lands include: spotted knapweed and hound's-tongue. Spotted knapweed was found present in the forest understory, but in low abundance. Clumps of hound's-tongue were found widely scattered throughout the parcels. Other exotic, invasive species include: common mullein and cheatgrass (*Bromus tectorum*). Mullein is scattered throughout the parcels, whereas cheatgrass grows in small, but dense patches where very hot portions of the fire had burned the soil. The DNRC roadsides, and especially the SMR roadsides, are mostly devoid of noxious weeds. Overall, the understory of the Sula Lands is dominated by native forbs and grasses.

Wetlands: Within the Sula Lands, wetland habitat is limited to a wetland fringe along Cameron and Lyman Creeks and their tributaries. Schoolmarm Lake is the only deep water habitat in the vicinity of the project; it occurs on SMR property adjacent to Parcel 5.

Threatened, Endangered, and Sensitive Plant Species: No known occurrences of Montana's three threatened or proposed threatened plants occur in vicinity of the Sula Lands (MTNHP 2005). Habitat for these federally-listed plants is not present on Sula Lands.

One rare plant, Lemhi penstemon, has been found in the vicinity of the Sula Lands (MTNHP 2005). Four sub-populations of Lemhi penstemon occur on US Forest Service managed land in Sections 27 and 28, just south of the SMR property. Lemhi penstemon occupies moderate to steep, east to southwest-facing slopes, usually on open slopes. Surveys for Lemhi penstemon have not occurred on the Sula State Forest. Some potential for occurrence on the Sula Lands may exist, especially as a result of the 2000 fires.

Impacts from Alternatives A and B

Impacts to vegetation resources from the Action and No Action Alternatives are compared in **Table 2** and discussed below.

Table 2: Comparison of Alternatives A and B, Vegetation Resources

| Resource Parameters | Alternative A – No Action. (Sula Lands remain in State Ownership; Lincoln Lands to new private owners) | Alternative B – Proposed Action. (Sula Lands convert to private ownership; Lincoln Lands convert to State ownership) |
|--|---|---|
| Grazing lands available | <u>Lincoln Lands:</u> 0 acres Trust Lands. <u>Sula Lands:</u> 800 acres Trust Lands. | <u>Lincoln Lands:</u> 1,458 acres Trust Lands. <u>Sula Lands:</u> 0 acres Trust Lands. |
| Grazing revenue to State Trust | <u>Lincoln Lands:</u> \$0 to Trust <u>Sula Lands:</u> \$805 per year to Trust. | <u>Lincoln Lands:</u> \$1,458 to Trust (est). <u>Sula Lands:</u> \$0 to Trust. |
| Forested lands | <u>Lincoln Lands:</u> 0 acres Trust Lands. <u>Sula Lands:</u> 500 acres Trust Lands. | <u>Lincoln Lands:</u> 1,393 acres Trust Lands. <u>Sula Lands:</u> 0 acres Trust Lands. |
| Time before timber revenues available to State Trust | <u>Lincoln Lands:</u> Not available to Trust. <u>Sula Lands:</u> 40-60 years. | <u>Lincoln Lands:</u> 20-30 years. <u>Sula Lands:</u> Not available to Trust. |
| Weeds | <u>Lincoln Lands:</u> High density of weeds in current condition. Management possibly fragmented into separate private owners. <u>Sula Lands:</u> Low density of weeds. Continued management of weeds by DNRC and grazing license holders. | <u>Lincoln Lands:</u> High density of weeds in current condition. Management consolidated under DNRC Lincoln State Forest. <u>Sula Lands:</u> Low density of weeds. Continued management of weeds by SMR expected (existing grazing license holder). |
| Threatened, Endangered, and Sensitive Plants | No negative impacts expected. | No negative impacts expected. |

Residential Development

Vegetation resources on the Lincoln and Sula Lands are expected to be managed for grazing and timber harvest under both the Action (Alternative A) and No Action (Alternative B) Alternatives. Development of the Sula parcels by Miller would be subject to an existing conservation easement on the SMR and applicable county and state regulations. Potential limited development may occur on the Lincoln Lands under the No Action Alternative, or on the Sula Lands under the Action Alternative. Neither of these developments is expected to create adverse effects to wetlands or vegetation resources.

Noxious Weeds

Noxious weeds are currently present in relatively low densities on the Sula Lands, whereas noxious weeds are in high densities on several portions of the Lincoln Lands. Weed management is required by State law, and is expected to continue on all parcels under both Alternatives. For the Lincoln Lands, consistent weed management is more likely to occur under the Proposed Action than under the No Action Alternative. For the Sula Lands, weed control management is expected to continue similar to historic trends under both the Action and No Action Alternative.

Wetlands

Very little wetland and riparian habitat exists on the Sula Lands, whereas the Lincoln Lands have large areas of wetland and riparian habitats. No impacts to wetlands are anticipated as a result of either Alternative.

TES Plant Species

There are no known occurrences of threatened, endangered, or sensitive (TES) plants within the Lincoln and Sula Lands. Potential habitat for one sensitive plant (Lemhi penstemon) exists on the Sula Lands, but this plant has not been found. Because no known TES plants exist on the Sula and Lands, it is determined that the Action and No Action Alternatives would not adversely affect TES plant species.

Cumulative Effects

No other projects within the cumulative effects area are expected to cause negative effects to vegetation resources, including wetlands and TES plants. No negative cumulative effects to vegetation are expected from the Action and No Action Alternatives.

8. TERRESTRIAL, AVIAN AND AQUATIC LIFE AND HABITATS:

Consider substantial habitat values and use of the area by wildlife, birds or fish. Identify cumulative effects to fish and wildlife.

The following discussion summarizes a wildlife and fish report prepared for this EA (Land & Water/PBS&J 2005b).

Existing Environment

Lincoln Lands

Although harvested and roaded, the Lincoln Lands are rich in an abundance and diversity of wildlife. Species that occur as residents or transient residents include deer, elk, grizzly bear, gray wolf, coyote, black bear, moose, and a large variety of birds.

Within the Lincoln Lands, Beaver, Stonewall, Liverpool, Park, and Keep Cool Creeks are rated by the Montana Department of Fish, Wildlife and Parks as high-value to outstanding value fisheries (MFISH 2005b). Habitat parameters for bull-trout and Westslope cutthroat trout have not been assessed, nor have complete fish surveys been conducted for Stonewall, Park, and Liverpool Creeks (Pierce 2005). Westslope cutthroat trout are considered to be rare throughout the Beaver, Stonewall, Park, and Liverpool Creeks (MFISH 2005b). In the vicinity of the Lincoln Lands, bull trout are known to occur at the mouths of Beaver and Keep Cool Creeks (tributaries to the Blackfoot River). Beaver Creek is historical habitat for bull trout and current use is unknown.

Eleven threatened, endangered, or sensitive (TES) animal species have been identified as either present, having potential for occurrence, or having potential habitat in or near the Lincoln Lands: bald eagle, gray wolf, grizzly bear, Canada lynx, Black-backed woodpecker, Pileated woodpecker, Flammulated owl, Peregrine falcon, Fisher, Bull trout, Westslope cutthroat trout. Both grizzly bear and gray wolves are transient residents.

Sula Lands

The French Basin supports healthy populations of mule deer, big horn sheep, white-tailed deer, and elk. All of the Sula Lands are classified as elk winter range (McGrath 2005). In April 2005, Biologist John Vore counted from the air 1185 elk in the French Basin (Vore 2005). Black bear, mountain lion, common porcupine, American badger, raptors, ground squirrels, and coyotes commonly occur in the area. Songbird and woodpecker activity is abundant.

The tributaries of Cameron Creek, a fish-bearing stream, bisect Sula Parcels 3, 4, and 5. Cutthroat trout have been found throughout the Cameron drainage system, but are most abundant in the higher reaches (Clancy 2005). In contrast, brook trout, which are also found throughout the drainage, are least abundant in the higher reaches and most abundant in the lower reaches (Sections 6 and 31) (Clancy 2005). In the lower reaches of Cameron Creek,

Longnose suckers and whitefish are common (Clancy 2005). Bull trout have not been found during fish surveys (Clancy 2005).

Eleven threatened, endangered, or sensitive (TES) animal species have been identified as either present, having potential for occurrence, or having potential habitat in or near the Sula Lands: bald eagle, gray wolf, grizzly bear, Canada lynx, Black-backed woodpecker, Pileated woodpecker, Flammulated owl, Peregrine falcon, Fisher, Bull trout, Westslope cutthroat trout. Grizzly bear have not been documented as residents, but wolves are transient residents.

Impacts from Alternatives A and B

Impacts to wildlife and fish resources from the Action and No Action Alternatives are compared in **Table 3** and discussed below.

Table 3: Comparison of Alternatives A and B – Wildlife and Fish

| Resource Parameters | Alternative A – No Action. (Sula Lands remain in State Ownership; Lincoln Lands to new private owners) | Alternative B – Proposed Action. (Sula Lands convert to private ownership; Lincoln Lands convert to State ownership) |
|--|--|--|
| Lands open to public access | <u>Lincoln Lands</u> : 0 acres public access. <u>Sula Lands</u> : 800 acres public access (walk-in only) | <u>Lincoln Lands</u> : 1,458 acres public access (both walk-in and motorized) <u>Sula Lands</u> : 0 acres public access (walk-through easement on Parcel 3 only). |
| Hunting opportunities | <u>Lincoln Lands</u> : Hunting at discretion of private landowners. <u>Sula Lands</u> : Continued public hunting. | <u>Lincoln Lands</u> : Continued public hunting. <u>Sula Lands</u> : Hunting not allowed by Miller. |
| Big game | <u>Lincoln Lands</u> : Big-game hunting at discretion of private landowners. Possibility of animal congregation on private land. <u>Sula Lands</u> : Continued public hunting. No changes in big game management planned. | <u>Lincoln Lands</u> : Continued public hunting. No changes in big game management planned. <u>Sula Lands</u> : Hunting not allowed by Miller. Possibility of animal congregation on private land. Fewer big game mortalities expected on Sula Lands. |
| Canada lynx, Black-backed woodpecker, Pileated woodpecker, Flammulated owl, Peregrine falcon, Fisher | <u>Lincoln Lands</u> and <u>Sula Lands</u> : No direct or indirect impacts expected. | <u>Lincoln Lands</u> and <u>Sula Lands</u> : No direct or indirect impacts expected. |
| Gray wolf | <u>Lincoln Lands</u> : Wolves transient residents. Possible wolf/livestock conflicts (but none to date). Possible increase in wolf/private landowner conflicts. <u>Sula Lands</u> : Wolves transient residents. Possible wolf/livestock conflicts (but none to date). | <u>Lincoln Lands</u> : Wolves transient residents. Possible wolf/livestock conflicts (but none to date). <u>Sula Lands</u> : Wolves transient residents. Possible wolf/livestock conflicts (but none to date). Possible wolf/private landowner conflicts (but none to date). |
| Grizzly bears | <u>Lincoln Lands</u> : Grizzly bears transient residents. Possible construction of ranch buildings may decrease potential habitat. Possible increase in bear/private landowner conflicts, but decrease in public/bear conflicts. <u>Sula Lands</u> : Grizzly bears not present. No changes in management. | <u>Lincoln Lands</u> : Grizzly bears transient residents. Continued public use and continued potential for bear/human conflicts. Management of bear consolidated within Lincoln State Forest. <u>Sula Lands</u> : Grizzly bears not present. Possible construction of ranch buildings may decrease potential habitat. |
| West-slope cutthroat trout and Bull trout | <u>Lincoln Lands</u> : Stream habitat under private ownership, fragmenting management. <u>Sula Lands</u> : Stream habitat remains under DNRC management. | <u>Lincoln Lands</u> : Stream habitat management further consolidated within DNRC Lincoln State Forest. <u>Sula Lands</u> : Stream habitat under private ownership, consolidated under SMR. |
| Habitat Conservation Plans (HCP) for Threatened and Endangered Species | <u>Lincoln Lands</u> : HCP voluntary for private landowner. <u>Sula Lands</u> : No current HCP commitment. | <u>Lincoln Lands</u> : State may enter HCP for threatened and endangered species. <u>Sula Lands</u> : No HCP planned. |
| Fencing (a potential limit to wildlife movement) | <u>Lincoln Lands</u> : Fencing at the discretion of private landowners. <u>Sula Lands</u> : No changes in fencing planned by State. | <u>Lincoln Lands</u> : No changes in fencing contemplated by DNRC. <u>Sula Lands</u> : Existing 7- and 8-strand fences removed and replaced with 4- or 5-strand fences. Reduction of 1 mile of fence. |

Hunting

Hunting opportunities and impacts to wildlife from hunting, would change from the Action and No Action Alternatives. Under the No Action Alternative, hunting would continue along

historic trends within the Sula Lands, but in the Lincoln Lands, historic trends in hunting would likely be altered. Private landowners would govern hunting activities on the Lincoln Lands under the No Action Alternative.

Public hunting under the Action Alternative would be prohibited within the Sula Lands, but would continue on the Lincoln Lands. Limitations on public hunting on the Sula Lands by Miller may encourage big game to congregate there during hunting season.

Wolves

Under the Action and No Action Alternatives, wolf activity on both Sula and Lincoln Lands is expected to continue. Under the No Action Alternative, limited home development on the Lincoln Lands may increase the potential for conflict between wolves and homeowners, and/or domesticated animals (livestock, horses, dogs, cats, etc.). Existing grazing practices on the Sula Lands would continue under the No Action Alternative, and the potential for wolf/livestock conflicts would remain.

Under the Action Alternative, a transfer of Lincoln Lands to State ownership could improve linkage corridors for wolf movement by consolidating land management in the Lincoln area. Grazing practices would continue under the Action Alternative on the Sula Lands and the potential for wolf/livestock conflicts would remain. Limited home development on the Sula Lands may increase the potential for conflict between wolves and homeowners, and/or domesticated animals (livestock, horses, dogs, cats, etc.).

Grizzly Bear

Under the No Action Alternative, the Sula Lands would continue to provide habitat for grizzly bears and potential use by grizzly bears would remain the same. All of the Lincoln Lands are considered habitat for grizzly bears, have documented use by grizzly bears, and are included in a designated grizzly bear recovery zone. Under the No Action Alternative, the Lincoln Lands would be sold with conservation easements to private landowners and a limited number of homes could be constructed. Human-bear conflicts increase if home development occurs. However, if public access is no longer available on the Lincoln Lands, the number of people recreating on these lands would decrease, potentially decreasing human/bear conflicts.

Under the Action Alternative, a transfer in ownership of the Lincoln Lands would partially consolidate DNRC land parcels, improving grizzly bear management. DNRC is expected to implement a Habitat Conservation Plan, providing management direction for the grizzly bear. Continued public access to the Lincoln Lands is expected to maintain the existing level of bear/human interactions. The Sula Lands would transfer to private ownership, where grazing practices are expected to continue and limited number of guest houses or ranch buildings may be constructed. Building construction could decrease grizzly bear habitat in localized areas; however, grizzly bears have not been documented in the area and any negative impacts would be localized and minor.

Westslope Cutthroat and Bull trout

Under the No Action Alternative, stream habitat conditions on the Lincoln Lands would likely remain unchanged or could deteriorate if streamside land becomes developed by private landowners. Stonewall Creek, Park Creek, Beaver Creek, and Keep Cool Creek would continue to provide habitat or potential habitat would be expected to continue. For the Sula Lands, it is likely that stream habitat conditions would remain unchanged under the No Action Alternative.

Under the Action Alternative, a transfer in ownership of the Lincoln Lands would partially consolidate existing DNRC land parcels, as well as management. Consolidating ownership could improve trout management, making stream habitat assessments more feasible. Under the Action Alternative, grazing would continue on the Sula Lands and a limited number of homes could be built. Existing grazing practices that discourage livestock impacts on streams are expected to continue. It is anticipated that new buildings would be located outside of stream corridors and that no direct or indirect impacts to trout would occur.

Other TES Species

For the Canada lynx, Black-backed woodpecker, Pileated woodpecker, Flammulated owl, Peregrine falcon, Fisher, no adverse impacts have been identified under the Action and No Action Alternatives on the Sula and Lincoln Lands.

Cumulative Effects to Wildlife and Fish

Effects of Development

Residential development within the Lincoln and Sula areas has escalated in recent years and continues to consume wildlife habitat and pressure TES species. The No Action Alternative, where Lincoln Lands would convert to individual private owners, would contribute to this trend within Lewis and Clark County. The Action Alternative, where the Sula Lands would transfer from State to private ownership, would contribute to this trend within Ravalli County.

Habitat Conservation Plan

Currently, the DNRC is negotiating with the US Fish and Wildlife Service on a Habitat Conservation Plan that would cover the Lincoln and Sula State Forests. Under the No Action Alternative, the Lincoln Lands may not be included within the HCP; compliance with the HCP by private landowners would be on a voluntary basis. Under the Action Alternative, the Lincoln Lands could be included within the Habitat Conservation Plan. This would increase the amount of State Land under the proposed HCP; thereby beneficially protecting habitat for all TES animal species. No Habitat Conservation Plans are currently proposed for the Sula exchange parcels.

Blackfoot Community Project

The Blackfoot Community Project (BCP) is attempting to acquire approximately 88,000 acres of Plum Creek Timberlands in the Blackfoot Watershed for purposes of wildlife habitat conservation, public access retention, and preservation of traditional resource uses. As part of the BCP, several land exchanges or acquisitions may occur, where Plum Creek Timberlands are converted into either public or private ownership. The No Action Alternative would not support the goals of the BCP, whereas the Action Alternative would support the goals of the BCP. The Proposed Action, in combination with the BCP, is expected to increase the amount of public lands, public access, and government-agency managed wildlife habitat within the Blackfoot Watershed of Lewis and Clark, Granite, and Powell Counties.

Other Land Exchanges

Two other potential land exchanges in Ravalli County are currently being evaluated (C.B. Ranch and Creech). The cumulative effect of the Action Alternative and the successful completion of the two other exchanges would result in an overall gain of 36 acres of State Land within Ravalli County. In addition, the exchanges allow public access to 640 acres of adjacent State parcels in Ravalli County that are currently not accessible to the public.

TES Species

No other projects within the cumulative effects area are known to cause an adverse effect to TES species. For the Lincoln and Sula Lands, adverse cumulative effects to threatened, endangered, or sensitive species are not anticipated under the No Action or Action Alternative.

9. UNIQUE, ENDANGERED, FRAGILE OR LIMITED ENVIRONMENTAL RESOURCES:

Consider any federally listed threatened or endangered species or habitat identified in the project area. Determine effects to wetlands. Consider Sensitive Species or Species of special concern. Identify cumulative effects to these species and their habitat.

Existing Environment

The existing habitat and occurrence of threatened, endangered, and sensitive (TES) plant and animal species within the Lincoln and Sula Lands are described in **Sections 7 and 8**. Wetland habitat is also described in **Sections 7 and 8**.

Impacts from Alternatives A and B

For the Action and No Action Alternatives, no negative impacts have been identified for wetlands and TES animal or plant species (see **Sections 7 and 8**).

Cumulative Effects

For the Lincoln and Sula Lands, no cumulative effects to wetlands and TES species are anticipated under the Action and No action Alternatives (see **Sections 7 and 8**).

10. HISTORICAL AND ARCHAEOLOGICAL SITES:

Identify and determine effects to historical, archaeological or paleontological resources.

Existing Environment

Lincoln Lands

A search of the Montana Cultural Resource Information System identified one historical resource in the project area: the project area is located within the Lincoln Historic Mining District (Murdo 2005). No other archaeological or paleontological resources have been found on the Lincoln Lands.

Sula Lands

Inspection of the Sula Lands by a DNRC archaeologist did not identify significant historical, archaeological or paleontological resources (Rennie 2004).

Impacts from No Action Alternative A

No impacts to cultural resources on the Lincoln or Sula Lands would be expected to occur as a result of the No Action or Action Alternatives.

Impacts from Action Alternative B

Lincoln Lands

The Lincoln Lands would enter DNRC management. Existing recreational, timber, and grazing management would continue. According to the State Historic Preservation Office (SHPO), the Proposed Action does not have a likelihood of impacting cultural properties and there is no further evaluation necessary regarding cultural resources (Murdo 2005).

Sula Lands

The Sula Lands would enter private ownership. There are no significant cultural resources identified on the Sula Lands; therefore, there would be no impacts to cultural resources as a result of the Proposed Action.

Cumulative Effects

No other projects within the cumulative effects area are expected to impact cultural resources. There are no cumulative impacts to cultural resources expected as a result of Alternative A or B.

11. AESTHETICS:

Determine if the project is located on a prominent topographic feature, or may be visible from populated or scenic areas. What level of noise, light or visual change would be produced? Identify cumulative effects to aesthetics.

Existing Environment

The Lincoln and Sula Lands are not located on a prominent topographic feature, and are not visible from populated areas or nearby highways. The parcels are only viewed from adjacent parcels and by visitors to the specific Lincoln and Sula Lands.

Impacts from No Action Alternative A

Lincoln Lands

Under the No Action Alternative, the Lincoln Lands would be sold back to TNC, which in turn would place a conservation easement on the parcels prior to selling them to a private landowner. The conservation easement would allow a limited number of houses and buildings to be constructed on the Lincoln Lands, and public access would likely be eliminated. The public views of the Lincoln Lands would generally be from nearby parcels. These views would change with the addition of houses and buildings, possibly adversely affecting the aesthetics of the parcels, depending on the value judgment of the affected viewer.

Sula Lands

The Sula Lands would remain in State ownership and management. No aesthetic impacts are anticipated as part of the No Action Alternative.

Impacts from Action Alternative B

Lincoln Lands

The management of the Lincoln Lands under State ownership would be similar to historic management, which has included timber, public recreation, and grazing activities. No building construction, commercial development or change in access is currently planned under the Proposed Action. Any future plans would be in compliance with the DNRC Real Estate Management Plan (DNRC 2005b). Aesthetic impacts to the Lincoln Lands are not anticipated as a result of the Proposed Action.

Sula Lands

Under the Proposed Action, the Sula Lands would be owned by Miller. Existing grazing and timber practices on the Sula Lands are likely to continue. Development of this property by Miller would be subject to an existing conservation easement on the SMR and applicable county and state regulations. Vehicle access to the Sula Lands is limited through surrounding State, Federal, and private lands, so future commercial or residential development would be very difficult, except by what is allowed under the existing conservation easement on the SMR. The existing conservation easement on the SMR indirectly prohibits improvements on the Sula Lands. The only development currently contemplated by Miller on the Sula Lands is the possible addition of guest cabins (Sommer 2005).

If guest cabins are constructed on the Sula Lands, they could be viewed by backcountry walk-in visitors to the adjacent Sula State Forest. The SMR is already developed with ranch buildings and other improvements, so the introduction of guest cabins that complement existing ranch structures may not be objectionable to some viewers. On the contrary, other viewers may consider any change in visual character of the Sula Lands to be very obtrusive.

Cumulative Effects

No other projects within the cumulative effects area are expected to create adverse effects to aesthetic resources. The limited number of structures that would be allowed in the Lincoln Lands under the No Action Alternative, and Sula Lands under the Action Alternative, would not be visible from prominent topographic features, populated areas, or highly-traveled scenic vistas. High levels of noise, light, or visual change is not expected. No adverse cumulative effects to aesthetics from Alternative A or B are expected.

12. DEMANDS ON ENVIRONMENTAL RESOURCES OF LAND, WATER, AIR OR ENERGY:

Determine the amount of limited resources the project would require. Identify other activities nearby that the project would affect. Identify cumulative effects to environmental resources.

Existing Environment

Lincoln Lands

The 1,458 acres of Lincoln Lands currently consist of approximately 96% forest land, most of which has been previously harvested. The forested land contains trees of varying age and size classes, and within 20 to 30 years there will be a reasonable expectation of commercial thinning and harvesting. While the Lincoln parcels have been heavily logged, it is estimated that a residual volume of 1.5 to 2.0 million board feet (MBF) remain (DNRC 2005a).

Approximately 1,042 acres of grazing leases are currently active on the Lincoln Lands. Historically, all of the Lincoln Lands have been leased for grazing.

Sula Lands

The Sula Lands currently consist of approximately 63% forest land, much of which was burned during the wildfires of 2000. Salvage logging of fire-killed and insect-killed timber occurred from 2000 to 2004. There will little, if any timber revenue from the Sula Lands for approximately 40 to 60 years (DNRC 2005a).

The Sula Lands consist of approximately 800 acres. J.R. Miller has the grazing license for 680 acres and another private individual has the grazing license for 120 acres. Due to the wildfires of 2000, these grazing licenses have been deferred, but are likely to be reinstated in the future.

No Action Alternative A

Lincoln Lands

Under the No Action Alternative, the Lincoln Lands would be sold back to TNC. TNC would sell the land to private landowners but place a conservation easement on the parcels. A limited number of homes could be built (Sommer 2005). Grazing opportunities, timber management, and recreation would be limited to private landowners. The State Trust would not receive funds from timber harvest and grazing licenses on the Lincoln Lands.

Sula Lands: Under the No Action Alternative, the Sula Lands would remain under the ownership of the Montana DNRC. These 800 acres would remain as State Trust Land within the Sula State Forest. Management activities typical for the DNRC State Trust Lands would continue and the State would receive funds from timber harvest and grazing licenses.

Action Alternative B

Lincoln Lands

The Lincoln Lands would be owned and managed by the State of Montana. Grazing lease acreage would be increased from 1,042 to 1,458 acres, similar to historic grazing practices (Liane 2005). Timber harvest and commercial thinning would occur in 20 to 40 years. The State Trust would receive revenues from approximately 1,458 acres of grazing licenses and 1,393 acres of timber management (**Section 17**).

Sula Lands

The Sula Lands would be owned and managed by private interests (Miller). The State would lose approximately 800 acres of grazing license revenue from these parcels. Grazing would continue on the Sula Lands by Miller.

There are approximately 500 acres of forest lands on the 800 acres of Sula Lands; however, the timber has either been removed from salvage logging or was burned in the 2000 wildfires. Under the Proposed Action, the DNRC would not expend funds to reforest the Sula Lands.

Vehicle access to the Sula Lands is limited through surrounding State, Federal, and private lands, so future commercial or residential development would be difficult. Development of

this property by Miller via access through the SMR would be subject to an existing conservation easement on the SMR and applicable county and state regulations. The only development currently contemplated by Miller on the Sula Lands is the possible addition of guest cabins (Sommer 2005).

Cumulative Effects

No other projects in the cumulative effects area would create demands on limited environmental resources. There are no anticipated negative cumulative effects to limited resources associated with Alternative A or B.

13. OTHER ENVIRONMENTAL DOCUMENTS PERTINENT TO THE AREA:

List other studies, plans or projects on this tract. Determine cumulative impacts likely to occur as a result of current private, State or federal actions in the analysis area, and from future proposed State actions in the analysis area that are under MEPA review (scoped) or permitting review by any State agency.

Existing Studies, Plans and Projects

Lincoln Lands

- Tetra Tech EM, Inc., 2003. Final Geology and Mineral Potential Report, Blackfoot River Proposed Acquisition, Plum Creek Timber Lands, Phase I, Lewis and Clark, Missoula, and Powell Counties, Montana. Prepared for The Nature Conservancy, Helena, Montana.
- Tetra Tech EM, Inc., 2003. Final Phase I Environmental Site Assessment Report, Blackfoot River Proposed Acquisition Plum Creek Timber Lands, Lewis and Clark, Missoula, and Powell Counties, Montana. Prepared for The Nature Conservancy, Helena, Montana.
- *Blackfoot Community Project:* This initiative, a partnership of The Nature Conservancy (TNC) and the Blackfoot Challenge, would acquire approximately 88,000 acres of Plum Creek Timberlands in the Blackfoot watershed. The initiative is designed to conserve wildlife, public access and traditional land uses.

Sula Lands

- DNRC, 2000a. Environmental Analysis for the Sula State Forest Fire Mitigation, Salvage & Recovery Plan. The objective of the EA was to evaluate the mitigation of adverse impacts due to the 2000 wildfires and capture timber values at "imminent risk of loss" on the Sula State Forest.
- DNRC, 2000b. Sula Salvage New Roads EA Checklist. Covers the relocation and new road construction associated with the Sula Salvage project
- DNRC, 2000c. Doran Hart EA. Completed for timber sales in the Doran, Hart and Cameron Creek drainages. The sales were never completed due to the wildfires of 2000.
- C.B. Ranch Exchange Proposal (Ravalli County) - State of Montana would receive two Sections of private lands (approximately 1,280 acres) for one Section of State Land (approximately 640 acres), increasing revenues to the State Trust and increasing public land access.

- Creech Exchange Proposal (Ravalli County) – Approximately 840 acres of State Land in Burnt Fork drainage would be exchanged for approximately 1,036 acres of private land in the Slocum Creek drainage, increasing fees to Trust and increasing public land access. In addition, the proposal would provide public access to approximately 640 acres of adjacent State Land in Ravalli County.

Cumulative Effects

The cumulative effects of these projects, in combination with the No Action and Action Alternatives, are described under the various sections of this EA.

IV. IMPACTS ON THE HUMAN POPULATION

- *RESOURCES potentially impacted are listed on the form, followed by common issues that would be considered.*
- *Explain POTENTIAL IMPACTS AND MITIGATIONS following each resource heading.*
- *Enter "NONE" If no impacts are identified or the resource is not present.*

14. HUMAN HEALTH AND SAFETY:

Identify any health and safety risks posed by the project.

NONE – See DNRC project file for Environmental Site Assessment Transaction Screen Field Form. No health and safety risks, hazardous materials, or petroleum products were observed to be used or stored on the Lincoln and Sula Lands during an evaluation conducted by Stephanie Lauer on June 23 and 24, 2005, respectively.

15. INDUSTRIAL, COMMERCIAL AND AGRICULTURE ACTIVITIES AND PRODUCTION:

Identify how the project would add to or alter these activities.

See **Sections 3** and **12**.

16. QUANTITY AND DISTRIBUTION OF EMPLOYMENT:

Estimate the number of jobs the project would create, move or eliminate. Identify cumulative effects to the employment market.

NONE – The Proposed Action is not anticipated to create, move or eliminate any jobs. No cumulative effects are expected to the employment market.

17. LOCAL AND STATE TAX BASE AND TAX REVENUES:

Estimate tax revenue the project would create or eliminate. Identify cumulative effects to taxes and revenue.

Existing Environment

The Lincoln Lands currently generate tax income for Lewis and Clark County, whereas the Sula Lands do not generate tax revenue for Ravalli County. Taxes on the Lincoln Lands are currently about \$1,812 per year (Sommer 2005).

No Action Alternative A

The tax revenue for Ravalli County and Lewis & Clark County would not change. The Lincoln Lands would remain in private ownership and the Sula Lands would remain under State ownership.

Action Alternative B

Lincoln Lands

The ownership of the Lincoln Lands would transfer to the State, decreasing the taxable private land base in Lewis & Clark County. However, the Blackfoot Community Project (BCP) has committed to compensate Lewis & Clark County for the lost tax revenue (Kloetzel 2005).

Sula Lands

The Sula Lands would transfer to private ownership. The tax revenue from the Sula Lands would increase Ravalli County's tax base by an estimated \$600.

Cumulative Effects

The BCP is expected to increase the amount of Federal and State Land within the Blackfoot Watershed. However, the affected counties would not lose tax revenue because BCP has committed to compensate county governments for lost tax revenue related to the Proposed Action and other land exchanges of the BCP (Kloetzel, 2005). For the No Action and the Action Alternatives, there would be no changes in tax revenue to Lewis and Clark County.

Two additional DNRC land exchanges are proposed for Ravalli County: the C.B. Ranch Exchange and the Creech Exchange (**Section 13**). The cumulative effects of these exchanges with the Proposed Action would result in a net gain of 36 acres of State Lands in Ravalli County, indicating a small increase in the private land tax base of Ravalli County.

18. DEMAND FOR GOVERNMENT SERVICES:

Estimate increases in traffic and changes to traffic patterns. What changes would be needed to fire protection, police, schools, etc.? Identify cumulative effects of this and other projects on government services

NONE - No changes in traffic, fire protection, police, or schools are anticipated as a result of the Action or No Action Alternatives. No cumulative effects of this project, combined with other projects, is expected to create cumulative effects on government services.

19. LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS:

List State, County, City, USFS, BLM, Tribal, and other zoning or management plans, and identify how they would affect this project.

Existing conditions:

Lincoln Lands

The Blackfoot Community Project is a private initiative that is seeking to conserve approximately 88,000 acres of corporate timberlands in the Blackfoot watershed. The initiative is designed to conserve wildlife, public access and public land uses.

A *Habitat Conservation Plan (HCP)* for threatened and endangered species under the Endangered Species Act is currently being negotiated with the US Fish and Wildlife Service. If this plan is implemented, then the Lincoln Lands may be included within the Habitat Conservation Plan.

No City zoning or management plans are in place that would impact future uses of the Lincoln Lands. DNRC has established management plans for State Trust Lands. The Lincoln Lands are not located within a zoning district, but are included within the rural area affected by the "Lincoln Growth Policy" (Rives 2005). The Lincoln Growth Policy serves as an addendum to the Lewis and Clark County Growth Policy specific to the Lincoln Planning Area (Lewis & Clark County 2005). The County Growth Policy indicates that special consideration will be given to design and improvement standards for the Rural Areas of the Helena Valley and the remainder of the County.

In February of 2005, the Lewis and Clark Board of County Commissioners adopted new subdivision regulations. These regulations contain design and improvement standards that will aid in the self-sufficiency of new subdivisions, help minimize adverse effects on agriculture, local services, the natural environment, wildlife, water quality and quantity, and public health and safety.

Sula Lands

The DNRC has established management plans for the Sula State Forest. No City, County or Federal zoning or management plans are in place that would impact future uses of the Sula Lands. Ravalli County has a growth policy that establishes long-range goals and goal-related policies to guide future growth and development. The growth policy does not have regulatory authority over specific parcels within the county. The only zoning districts within

Ravalli County are voluntary zoning districts. The Sula Lands are not located in a voluntary zoning district (Ravalli County Clerk & Recorder's Office 2005).

No Action Alternative A

Lincoln Lands

The Lincoln Lands would remain under management of the Blackfoot Community Project, but their goal of maintaining public access would not be met. The new private owners of the Lincoln Land would have an opportunity to be involved with a US Fish & Wildlife Habitat Conservation Plan but would not be obligated to participate.

Sula Lands

The Sula Lands would remain under existing State management.

Action Alternative B

Lincoln Lands

The ownership of the Lincoln Lands would transfer to the State, consolidating State-owned parcels and implementing State management goals. The Proposed Action would contribute to the goals of the Blackfoot Community Project.

Sula Lands

Management of the Sula Lands by DNRC would discontinue. No local zoning laws would limit private land development; however, any proposed development by Miller would need to be in compliance with an existing conservation easement on the SMR and with applicable county and State regulations.

20. ACCESS TO AND QUALITY OF RECREATIONAL AND WILDERNESS ACTIVITIES:

Identify any wilderness or recreational areas nearby or access routes through this tract. Determine the effects of the project on recreational potential within the tract. Identify cumulative effects to recreational and wilderness activities.

Existing Environment:

Lincoln Lands

The Lincoln Lands are currently privately owned with public access. Lincoln Parcel 1 is open to public non-motorized access and motorized access via the Sucker Creek Road. Lincoln Parcels 3 and 4 are open to non-motorized access and closed to all public motorized access with the exception of snowmobiles. The Lincoln Lands experience heavy recreation use by snowmobiles, ORVs, hunters and hikers. Unauthorized ORV use is common on all three parcels (Kloetzel 2005). The Lincoln Lands adjoin the Helena National Forest, private and State Lands.

Sula Lands

The Sula Lands are currently open to non-motorized public access only. Existing roads on the Sula Lands are for walk-in use by the public. The nearest vehicle access routes to the Sula Lands are FR 311 on the north and east, FR 5745 on the west, and French Basin Road on the south. Each of these roads has a locked gate outside the perimeter of the Sula

Lands. The Sula Lands are used primarily by hunters. The Sula Lands adjoin private and State Lands.

No Action Alternative A

Lincoln Lands

The Lincoln Lands would remain under private ownership but would be sold back to TNC. TNC would sell the land to private landowners but place a conservation easement on the parcels. A limited number of homes could be built (Sommer 2005). Public access and recreation could be eliminated on 1,458 acres of land in Lewis & Clark County. Public access to adjoining State and Helena National Forest lands would remain.

Sula Lands

Management of the Sula Lands would continue under State ownership. Non-motorized access and recreation would remain on the parcels.

Action Alternative B

Lincoln Lands

Under the Action Alternative the 1,458 acres of Lincoln Lands would be transferred to State ownership. State Lands in the Lincoln area would be more consolidated than the existing condition. Public access would remain the same as under existing ownership: only Parcel 1 would be open to motorized transportation. Parcels 3 and 4 would be open to public access but closed to motorized travel with the exception of snowmobiles (Liane 2005). Any changes to road status on the parcels would be planned in conjunction with the local community.

Sula Lands

Under the Action Alternative, most of the public walk-in access and recreation on 800 acres in Ravalli County would be eliminated (0.0007% of public access lands in Ravalli County). Retained easements on Parcel 3 on the west side of the project area would be for all lawful purposes and for public access within the road only. No hunting would be allowed along this easement or within Parcel 3.

On the east side of French Basin at Section 14, the Sula State Forest would be separated by private land into two portions. Public walk-in access into the SW corner of Section 14 (T2N, R19W) via Parcel 4 would be eliminated. Access on the Sula State Forest from the north through Section 14 would only be available via Bitterroot National Forest land in Section 13. Access to the Sula State Forest south of Section 14 would remain from the south via FR 5796.

Cumulative Effects

Other projects within the cumulative effects area for the Lincoln and Sula Lands include the following:

Lincoln Lands: The Blackfoot Community Project: This partnership between The Nature Conservancy (TNC) and the Blackfoot Challenge, would acquire approximately 88,000 acres of Plum Creek Timberlands in the Blackfoot watershed. The Blackfoot Community Project is designed to conserve wildlife, public access and traditional land uses.

Sula Lands: Other proposed land exchanges in Ravalli County include:

- C.B. Ranch Exchange – The State would receive two Sections of private lands (approximately 1,280 acres) for one Section State Land (approximately 640 acres), increasing revenues to the State Trust and increasing public land access.
- Creech Exchange – About 840 acres of State Land in Burnt Fork drainage would be exchanged for about 1,036 acres of private land in the Slocum Creek drainage, increasing fees to Trust and increasing public land access. This exchange would also provide access to about 640 acres of adjacent State Land in Ravalli County.

No Action Alternative

Under the No Action Alternative, the 1458 acres of Lincoln Lands would be removed from public access and the goals of the Blackfoot Community Project for retaining public access in the Blackfoot Watershed would not be met. Public Access on the Sula Lands would remain. The combined effect of the C.B. Ranch and Creech Exchange could increase the amount of State Lands within Ravalli County by 836 acres. Public access would be gained to 640 acres of State Lands adjacent to the Creech parcels.

Action Alternative

Under the Action Alternative, the Blackfoot Community Project would achieve its goals for the Lincoln Lands and 1,458 acres open to public access within the Blackfoot Watershed would be retained. In Ravalli County, the combined effect of the Miller, C.B. Ranch Creek, and Creech Exchanges would increase the amount of State Land by 36 acres within Ravalli County. Public access would be gained to 640 acres of State Lands adjacent to the Creech parcels.

21. DENSITY AND DISTRIBUTION OF POPULATION AND HOUSING:

Estimate population changes and additional housing the project would require. Identify cumulative effects to population and housing.

Limited residential development could occur in the Lincoln Lands under the No Action Alternative and on the Sula Lands under the Action Alternative. No other projects within five miles of the Sula Lands are anticipated to create cumulative effects to population or housing. The Blackfoot Community Project in the Blackfoot Watershed is anticipated to limit housing development via conservation easements and public land ownership.

22. SOCIAL STRUCTURES AND MORES:

Identify potential disruption of native or traditional lifestyles or communities.

NONE – No impacts to native or traditional lifestyles or communities have been identified.

23. CULTURAL UNIQUENESS AND DIVERSITY:

How would the action affect any unique quality of the area?

See **Section 10** for a discussion of cultural resources and **Section 20** for anticipated changes in recreation and public access.

24. OTHER APPROPRIATE SOCIAL AND ECONOMIC CIRCUMSTANCES:

Estimate the return to the trust. Include appropriate economic analysis. Identify potential future uses for the analysis area other than existing management. Identify cumulative economic and social effects likely to occur as a result of the proposed action.

Existing Environment

The approximately 1,458 acres of Lincoln Lands has an appraised value of \$1,980,000, which includes timber values (Neibergs 2005). The approximately 800 acres of Sula Lands, with existing legal access, has an appraised value of \$1,065,000 which includes timber values (Stucky 2004). An appraisal of the Sula Lands completed for the DNRC, assuming hypothetical access through the SMR, has an appraised value of \$3,277,000 which does not include the excess timber values of \$185,000 (Spear 2005).

No Action Alternative A

Lincoln Lands

Under the No Action Alternative, there would be no return to the State Trust from the Lincoln Lands.

Sula Lands

Under the No Action Alternative, the State Trust would continue to receive approximately \$805 per year in revenues from existing grazing licenses. Due to the wildfires of 2000, there would be little, if any, timber revenue for approximately 40 to 60 years.

Action Alternative B

Lincoln Lands

Under the Action Alternative, the State Trust would receive approximately \$1,458 per year in revenues from grazing licenses. Revenues from timber would be received in 20 to 30 years. There is a residual timber volume of 1.5 to 2.0 MBF remaining on the Lincoln parcels (DNRC 2005a).

Sula Lands

Under the Action Alternative, there would be no return to the State Trust from the Sula exchange parcels. However, acquired access from Easements 1-3 would reduce costs of future management of remaining State Trust Lands.

Cumulative Effects

Please see the discussions in **Sections 14-22** for discussions of cumulative economic and social effects.

| | |
|------------------------|---|
| EA Prepared By: | Name: Nancy Winslow and Stephanie Lauer Date: July 21, 2005 Title: Environmental Scientists, Land & Water/PBS&J |
|------------------------|---|

V. FINDING

25. ALTERNATIVE SELECTED:

26. SIGNIFICANCE OF POTENTIAL IMPACTS:

27. NEED FOR FURTHER ENVIRONMENTAL ANALYSIS:

☐ EIS

☐ More Detailed EA

☐ No Further Analysis

| | |
|--|---------------|
| Environmental Assessment Approved By: | Name: |
| | Title: |
| Signature: | |
| Date: | |

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Appendix A

PROJECT MAPS

DNRC/Miller Land Exchange EA

Figure 1

Figure 2

Appendix B

CONSULTATION

DNRC/Miller Land Exchange EA

Table B-1: Agency Personnel Consulted In Preparation of this EA

| | | |
|---|---|--|
| <p>Tony Liane Bob Storer Steve Kamps Mike McGrath Montana Department of Natural Resources and Conservation (DNRC) SW Land Office 1401 27th Avenue Missoula, Montana 59801 406-542-4200</p> | <p>Damon Murdo Montana State Historic Preservation Office 1410 8th Ave. Helena, MT 59620-1202 406-444-7767</p> | <p>Monte Mason Jeanne Holmgren Tom Konency Patrick Rennie DNRC 1625 11th Ave, Helena, MT 59601</p> |
| <p>Mark Sommer Bruce Bugbee American Public Lands Exchange (APLE, Miller's Representatives) 125 Bank St, Ste 610 Missoula, MT 59802 728-4176</p> | <p>Paul Moore Montana DNRC Hamilton Unit Office P.O. Box 713 Hamilton, MT 59840 363-1585</p> | <p>Steven Kloetzel Blackfoot Land Steward The Nature Conservancy of Montana 3270 Kleinschmidt Flat Road Ovando, MT 59854 office phone/fax: 406- 793-0038</p> |
| <p>John Vore Mack Long Bob Henderson Montana Department of Fish, Wildlife and Parks</p> | <p>Ravalli County Commissioners Ravalli County, Montana</p> | <p>Jim Shockly, Ravalli County State Senator</p> |

Land & Water Consulting/PBS&J personnel involved with this EA:

- Nancy Winslow, Environmental Scientist/Geologist
- Stephanie Lauer, Environmental Scientist/Water Resources Specialist
- Barry Dutton, Certified Professional Soil Scientist

Land & Water Consulting/PBS&J
P.O. Box 8254
Missoula, MT 59807
406-721-0354

Appendix C

SCOPING SUMMARY

DNRC/Miller Land Exchange EA

Miller/DNRC Land Exchange Scoping Summary

Comments received during the Scoping Period are listed in **Table C-1**. Meetings and field tours of the Lincoln and Sula Lands are listed in **Table C-2**.

TABLE C-1: Miller/DNRC Land Exchange Content Analysis
Issues and Concerns Identified in Scoping

July 2005

| Commenter | Issues | Addressed in EA Document Section(s) |
|---|---|-------------------------------------|
| Blackfoot Challenge | Purpose and Need Supports the land exchange. | Section I. |
| Ravalli County Commissioners | Proposed Action Loss of public land in Ravalli County in exchange for public land in Lincoln County is not a positive exchange for citizens of Ravalli County. | Section 4. |
| MFWP (Mack Long) B. Hanson/ M. Stenerson/ T. Stenersen/ K. Hayes/ L. Donahue | Alternatives <ul style="list-style-type: none"> ▪ If Lincoln lands remain in private ownership, values to the public (recreation, wildlife) would likely not be recognized by future owners. ▪ If Proposed Action does not go through, the likelihood of the success of the Blackfoot Challenge initiative would be reduced. ▪ Consider Alternative land swap instead that includes only Parcels 1 & 4 of Sula and Parcels 4 & 5 of Lincoln lands in combination with part or all of the Wetzsteon property in Section 14 | Section 3. |

TABLE C-1: Miller/DNRC Land Exchange Content Analysis
Issues and Concerns Identified in Scoping (cont.)

July 2005

| | | |
|--|--|--------------------|
| <p>MFWP (Mack Long)</p> <p>Ravalli County Fish & Wildlife Association</p> <p>B. Hanson/ M. Stenerson/ T. Stenersen/ K. Hayes/ L. Donahue</p> | <p>Wildlife</p> <ul style="list-style-type: none"> ▪ A conservation easement on the Sula land would ensure continued protection of wildlife habitat. ▪ Travel management on Lincoln lands should accommodate existing snowmobile trails but limit off-trail use to protect elk winter range. ▪ Wildlife habitat values will be maintained or enhanced on all lands as a result of the Proposed Action. ▪ Land exchange would consolidate DNRC holdings near Lincoln associated with several fish-bearing streams that – contain genetically pure West-slope cutthroat trout and some historically supported the federally-listed bull trout. The Proposed Action would lead to more consistent and sensitive management of these fish species. ▪ MFWP would expect DNRC to continue to help correct identified stream impairments and implement streamside management measures to maintain fisheries habitat. ▪ Sula lands are habitat for bighorn sheep and mule deer and critical winter range for elk. Private fencing will restrict mobility of wildlife, which would significantly affect their ability to feed. ▪ Fencing on private land hinders wildlife movement. | <p>Section 9.</p> |
| <p>MFWP (Mack Long)</p> | <p>Locally Adopted Environmental Plans and Goals</p> <ul style="list-style-type: none"> ▪ Proposed land exchange would contribute to the Blackfoot Challenge initiative to conserve 89,000 acres in the Blackfoot drainage. ▪ Cumulative benefits of the initiative to wildlife, public access and traditional land uses is outstanding and of national significance. | <p>Section 19.</p> |

TABLE C-1: Miller/DNRC Land Exchange Content Analysis
Issues and Concerns Identified in Scoping (cont.)

July 2005

| | | |
|---|---|--------------------|
| <p>MFWP (Mack Long)</p> <p>Ravalli County Commissioners</p> <p>Ravalli County Fish & Wildlife Association</p> <p>B. Hanson/ M. Stenerson/ T. Stenersen/ K. Hayes/ L. Donahue</p> <p>Ponderosa Snow Warriors</p> | <p><u>Access to and Quality of Recreation and Wilderness Activities</u></p> <ul style="list-style-type: none"> ▪ A few individuals will lose a limited amount of public access in Sula through the Proposed Action. ▪ Recreational opportunities will be benefited in Lincoln area. ▪ The Proposed Action would break the Sula State Forest into two separate parcels on the east side of French Basin, effectively severing public lands with a strip of public land and eliminate public access into Lyman/Mud Creek basins from the 311 Road (currently walk-in access only). ▪ Exchange will separate two parcels of state forest on the east side of French Basin effectively eliminating access to Lyman/Mud Creek basins. ▪ The Proposed Action would break the Sula State Forest into two separate parcels on the east side of French Basin, effectively severing public lands with a strip of private land and eliminate public access into Lyman/Mud Creek basins from the 311 Road (currently walk-in access only). ▪ Public hunting access eliminated on the east side of French Basin, as well as access for game retrieval. ▪ trails on the Lincoln lands have been used for years for groomed snowmobile use ▪ Lincoln lands popular with hunters | <p>Section 20.</p> |
| <p>Ravalli County Commissioners</p> <p>Ravalli County Fish & Wildlife Association</p> <p>B. Hanson/ M. Stenerson/ T. Stenersen/ K. Hayes/ L. Donahue</p> <p>Ponderosa Snow Warriors</p> | <p><u>Other Appropriate Social and Economic Circumstances</u></p> <ul style="list-style-type: none"> ▪ Appraisal of Sula lands has failed to analyze pertinent comparable sales. ▪ There was not a fair evaluation of property values of the land in question (\$1100/acre) – other property in same vicinity recently sold for \$3500/acre. ▪ Timber values in Sula area significantly outweigh the timber values in the Lincoln area, thus monetary value of the exchange does not benefit the State. ▪ There was not a fair evaluation of property values of the land in question (\$1100/acre) – other property in same vicinity recently sold for \$3500/acre. Exchange does not follow State Land Board Exchange Criteria ▪ Proposed Action does not consider other access options from the south, which eliminates value from residential or recreational use and brings down value. ▪ Sula lands not as hindered for management as Lincoln lands with respect to TES; value to the State Trust will be greater on Sula lands from activities such as timber harvest. ▪ Timber values are downplayed on Sula lands by lumping non-forested lands with forested lands. ▪ Timber densities are downplayed to “scattered” when actually stocked. ▪ Other resource values on Sula lands downplayed, including improvements, water rights, streams and mineral rights. ▪ timber harvest is very productive on the Lincoln tracts and the community needs the timber jobs | <p>Section 24.</p> |

Table C-2 Miller/DNRC Land Exchange - Public Meetings and Field Tours

| Date | Host(s) | Type of Function | Public Attending |
|-------------|---|------------------------------------|--|
| 2003 | Bruce Bugbee, American Public Lands Exchange (APLE) representing John R. Miller | Meeting | Ravalli County Fish and Wildlife Association |
| 5/21/03 | Blackfoot Challenge | Meeting - Lincoln Community Center | |
| 2/18/04 | Blackfoot Challenge | Meeting - Lincoln Community Center | 47 participants |
| 4/28/04 | Blackfoot Challenge | Meeting - Lincoln Community Center | 37 participants |
| 10/18/04 | Mark Sommer, APLE, representing John R. Miller | Meeting | Ravalli County Fish and Wildlife Association |
| 5/2/05 | Bruce Bugbee, APLE; Mark Sommer, APLE; Tony Liane, DNRC; John Vore, MDFWP; Paul Moore, DNRC; Jeanne Holmgren, DNRC; Tom Konency, DNRC | Field Tour, Sula Lands | Jim Shockley, Ravalli County State Senator; Mark Lewing, retired forester; Roger Bergmier, Montrust; Ken Hayes |
| 5/3/05 | Mark Sommer, APLE; Tony Liane, DNRC; Mack Long, MDFWP; Bob Henderson, MDFWP | Field Tour, Lincoln Lands | Jim Shockley, Ravalli Co. State Senator; Mark Lewing, retired forester; Roger Bergmier, Montrust; Ken Hayes, adjacent landowner; Hank Goetz, Blackfoot Challenge; Bob Bushnell, Lincoln citizen; Ken Hayes |
| 5/9/05 | Paul Moore, DNRC; Tony Liane, DNRC; Mark Sommer, APLE | Field Tour, Sula Lands | Ravalli County Commissioners |